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April 23, 2021

Hon. Lewis J. Liman  
United States Courthouse  
Courtroom 17A  
500 Pearl Street  
New York, New York 10007

**Re: Eastern Profit Corp. Ltd. v. Strategic Vision US, LLC, Case No. 18-cv-2185 (LJL)-  
DCF/Strategic Vision's Motion to Strike PX-59, PX-44, PX-47, and PX-50**

Dear Judge Liman:

Strategic Vision moves to strike several exhibits proffered by Eastern Profit during its cross-examination of Strategic witness Sasha Gong.

First, PX-59 purports to be a Stanford Internet Observatory Cyber Policy Center report, "Sockpuppets Spin COVID Yarns: An Analysis of PRC-Attributed June 2020 Twitter Takedown." The attached certification indicates that it was a special prepared by the Center, but it establishes none of the elements of a business record under FRE 803(6). It is not a report of regular business activity (*i.e.*, the decision of yet another party, Twitter, to allegedly conduct a special investigation and reach a decision, and Twitter's purported reasons and basis for doing so) for which it is being offered. It was not prepared by someone with actual knowledge of the activity, or with information transmitted by someone who has knowledge. It was not kept or made in the course of a regular business activity. Certainly, the witness had no knowledge of the report. PX-59 is hearsay offered for the truth of the matter asserted. It also is an opinion by a collection of authors (Carly Miller, Vanessa Molter, Isabella Garcia-Camargo, Renée DiResta), none identified as an expert in this case, about the views of Stanford, the CCP, and the cyber policy community. Strategic did not challenge the authenticity of the article as a Center report, but it should not be admitted.

Second, Strategic moves to strike certain exhibits authored by Sasha Gong, including PX-44 (Article in Wall Street Journal by Sasha Gong entitled How China Managed to Muffle the Voice of America), PX-47 (Tibet.net Op-Ed by Sasha Gong entitled Spineless Federal Bureaucrats Caved to Chinese Pressure to Censor Voice of America. Now They Deny It), and PX-50 (Daily Caller Op-Ed by Sasha Gong entitled A Former RNC Finance Chair and His Role in Malaysia's Development Fund Scandal). These are hearsay offered for the truth of the matter asserted when the author herself explained that her beliefs about Guo fundamentally changed after the articles were written. As to the comments in the final article, the evidence at trial established that the subject did not plead guilty to anything other than that he did not register under FARA in connection with advocacy for a Malaysian national. Sasha Gong testified that she did not read the guilty plea, and the article was written long before the plea and its associated facts existed. Nor is the article evidence of the subject's alleged emails that were hacked, and no foundation was laid as to whether those emails were authentic and how they were hacked and given to Ms. Gong.



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While these articles could have been appropriately used in an attempt to impeach the witness, they are not evidence and should not be received.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Edward D. Greim', with a horizontal line extending to the right.

Edward D. Greim  
Attorney for Defendant/Counterclaimant

cc: Counsel of record via ECF